

# Legislative process

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# What is a bill?

- A Bill is the draft of a legislative proposal
- brought before the House
- for its approval

# Difference between a Bill and an Act

- A Bill is a draft legislative proposal before the House
- When a Bill passed by both the Houses of Parliament
- And assented to by the President
- The Bill becomes an Act
- Bill is a draft is a draft legislative proposal while an Act is the final legislation

# Types of bills

- Based on who initiates:

1. Government bills: Bills initiated by Ministers
2. Private bills: Bills introduced by Members who are not Ministers

- Depending on their contents:

1. Original Bills (Bills embodying new proposals, ideas or policies)
2. Amending Bills (Bills which seek to modify, amend or revise the existing Acts)
3. Consolidating Bills (Bills which seek to consolidate existing laws on a particular subject)
4. Expiring Laws (Continuance) Bills (Bills to continue an expiring Act)
5. Repealing Bills (Bills seeking to repeal existing Acts)
6. Bills to replace Ordinances
7. Constitution (Amendment) Bills
8. Money and Financial Bills

# Process of making a Bill

- The process starts with the need for any fresh law or need of amendment in any existing law
- May be done by the government or by people's groups in society
- After the need, the Department holds preliminary meetings with stakeholders
- It prepares a draft Bill
- With the approval of the Minister-in-charge, the draft Bill is circulated among Departments concerned for inter-Ministerial consultations (IMC)
- The comments from IMC are considered in the sponsoring Department
- The draft Bill is modified and finalized for approval of Minister-in-charge
- The Bill is then sent to the Cabinet Secretariat for consideration by the Cabinet
- After the Cabinet approval, the Bill introduced in a House by the Minister

# Steps involved in the passage of a Bill

1. Three stages in each House of Parliament

## 2. *The first stage:*

1. Consists of the introduction of the Bill

2. Which is done on a motion moved by either a Minister or a Member

## 3. *The second stage:*

1. Any of the following motions can be moved; or

1. that the Bill be taken into consideration; or

2. that it be referred to a Select Committee of the House; or

3. that it be referred to a Joint Committee of the two Houses; or

4. that it be circulated for the purpose of eliciting opinion thereon

2. Thereafter, the Bill is taken up for clause-by-clause consideration as introduced or as reported by the Select/Joint Committee:

# Steps involved in the passage of a Bill ..

## 4. *The third stage:*

5. Confined to the discussion on the motion

1. that the Bill be passed and

2. The Bill is passed/rejected

3. Either by voting or voice vote

4. Or returned to the Lok Sabha by the Rajya Sabha in the case of a Money Bill

# Deadlock between the two Houses

1. One House passed the Bill and the other rejected. [**Art 108 (1) a**]
2. When one House passes the bill and other House also passed but with an amendment and that amendment is rejected by the first House. [**Art 108 (1) b**]
3. If more than 6 months elapse from the date of reception of the bill by the other House without the bill being passed by it. [**Art 108 (1) c**]



# Joint sitting of both the Houses & thereafter

- To break the deadlock: a joint sitting of both the houses is organized and that is resolved by majority votes [ Art 108]
- After both houses of the Parliament pass the bill, it is presented to the President for assent
- The President may:
  - seek information about the bill or
  - return the bill to the parliament for reconsideration.
- If both the Houses pass it again, then the president is bound to assent. **[Art 111]**
- After assenting of the President, the bill is notified as an Act
- The Act comes into the force
- The executive then frames rules & regulations

# Format of a Bill

- Sample Bill

**Thank you**